U.S. Department
of Transportation
**Federal Aviation
Administration**

Aviation Safety

800 Independence Ave
Washington, DC 20591

October 18, 2021

Exemption No. 18709A
Regulatory Docket No. FAA-2020-0886

Mr. Garrett Connell
137 Chief Supervisor
Lenoc Chemical Solutions, Inc.
2970 Manuel Road
Bowling Green, FL 33834

Dear Mr. Connell:

This letter is to inform you that the Federal Aviation Administration (FAA) has granted your petition to amend Exemption No. 18709. This letter transmits the FAA's decision, explains the FAA's basis, and provides the conditions and limitations of the exemption, including the date the exemption ends.

The Basis for the FAA's Decision

By letter dated February 15, 2021, you petitioned the FAA on behalf of Lenoc Chemical Solutions, Inc. (Lenoc Chemical Solutions) for an amendment to Exemption No. 18709. That exemption from Sections 61.3(a)(1)(i), 91.7(a), 91.119(c), 91.121, 91.151(b), 91.405(a), 91.407(a)(1), 91.409(a)(1) and (2), 91.417(a) and (b), 137.19(c), (d), (e)(2)(ii), (e)(2)(iii), and (e)(2)(v), 137.31, 137.33, 137.41(c), and 137.42 of Title 14, Code of Federal Regulations (14 CFR) allows Lenoc Chemical Solutions to operate the HSE M8A Pro UAV unmanned aircraft system (UAS) weighing greater than 55 pounds (lbs.) with a maximum takeoff weight of 98 lbs. to provide commercial agricultural-related services. The amendment you request would add the DJI Agras T16 and DJI Agras T20, weighing over 55 lbs. but no more than 100.3 lbs., to Lenoc Chemical Solutions' UAS fleet.

The HSE M8A Pro UAV, DJI Agras T16, and DJI Agras T20 UAS do not currently have an airworthiness certificate. Title 49 U.S.C. § 44807 provides the Secretary of Transportation (hereinafter Secretary) with authority to determine whether a certificate of waiver, certificate of authorization, or a certificate under Section 44703 or Section 44704, is required for the operation of certain UAS. Section 44807(b) instructs the Secretary to base this determination on which types of UAS do not create a hazard to users of the NAS or the public. In making this determination, the Secretary must consider the size, weight, speed, operational capability of the UAS, and other aspects of the proposed operation. In accordance with the statutory criteria provided in 49 U.S.C. § 44807, and in consideration of the size, weight, speed, and operational capability, proximity to airports and populated areas, and specific operations, the Secretary has determined these aircraft do not create a hazard to users of the NAS or the public.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

The FAA's Decision

The FAA has determined that good cause exists for not publishing a summary of the petition in the *Federal Register*. The FAA has determined that good cause exists because the requested amendment to the exemption would not set a precedent and any delay in acting on this petition would be detrimental to Lenoc Chemical Solutions.

Although you requested to operate at a weight no more than 100.3 lbs., the DJI Agras T16 UAS user manual lists a maximum takeoff weight of 42 kilograms (kg.) (92.6 lbs.), and the DJI Agras T20 UAS user manual lists a maximum takeoff weight of 47.5 kg. (104.5 lbs.). Therefore, operations of the DJI Agras T16 under this exemption are limited to a maximum take-off weight not to exceed 92.6 lbs., and operations of the DJI Agras T20 under this exemption are limited to a maximum take-off weight not to exceed 104.5 lbs.

The FAA has determined that the justification for the issuance of Exemption No. 18709 remains valid with respect to this exemption and is in the public interest. Therefore, under the authority provided by 49 U.S.C. §§ 106(f), 40113, 44701, and 44807, which the FAA Administrator has delegated to me, I hereby grant Lenoc Chemical Solutions, Inc. an exemption from 14 CFR §§ 61.3(a)(1)(i); 91.7(a); 91.119(c); 91.121; 91.151(b); 91.405(a); 91.407(a)(1); 91.409(a)(1) and (2); 91.417(a) and (b); 137.19(c), (d), (e)(2)(ii), (e)(2)(iii), and (e)(2)(v); 137.31; 137.33; 137.41(c); and 137.42 to the extent necessary to allow Lenoc Chemical Solutions to operate the HSE M8A Pro UAV, DJI Agras T16, and DJI Agras T20 unmanned aircraft system (UAS) weighing 55 pounds (lbs.) or more, with maximum takeoff weights of 98 lbs., 92.6 lbs., and 104.5 lbs. respectively, to provide commercial agricultural-related services, subject to the conditions and limitations described below.

Conditions and Limitations

In this grant of exemption, Lenoc Chemical Solutions, Inc. is hereinafter referred to as "the Operator" or "Exemption Holder."

A copy of the 49 U.S.C. § 44807 Certificate of Waiver or Authorization (COA) is enclosed with this exemption, and must be accessible during all UAS operations that occur under this exemption and made available to the Administrator upon request.

1. Operations authorized by this grant of exemption include the HSE M8A Pro UAV, DJI Agras T16, and DJI Agras T20 as described in the operating documents with a maximum take-off weight not to exceed 98 pounds (lbs.), 92.6 lbs., and 104.5 lbs., respectively, and are limited to agricultural aircraft operations. Additionally, the HSE M8A Pro UAV, DJI Agras T16, and DJI Agras T20 aircraft must be listed on the Operator's Title 14, Code of Federal Regulations (14 CFR) Part 137 Letter of Authorization (LOA) prior to use in any Part 137 operation.

2. This exemption does not excuse the Operator from complying with Part 375. If operations

under this exemption involve the use of foreign civil aircraft, the Operator must obtain a Foreign Aircraft Permit pursuant to Section 375.41 before conducting any operations under this exemption. Application instructions are specified in Section 375.43.

3. The HSE M8A Pro UAV, DJI Agras T16, and DJI Agras T20 described in this exemption may not be operated at a groundspeed exceeding 30 miles per hour or at any speed greater than the maximum operating speed recommended by the aircraft manufacturer, whichever is lower.

4. All operations must be conducted in accordance with an Air Traffic Organization (ATO) issued Certificate of Authorization (COA). The Exemption Holder must apply for a new or amended COA if it intends to conduct operations that cannot be conducted under the terms of the COA. If a conflict exists between the COA and this condition, the more restrictive provision will apply. The COA will also require the Operator to request a Notice to Airmen (NOTAM) not more than 72 hours in advance, but not less than 48 hours prior to each operation. Unless the COA or other subsequently issued FAA authorization specifies an altitude restriction lower than 200 feet above ground level (AGL), operations under this exemption may not exceed 200 feet AGL. Altitude must be reported in feet AGL.

5. The pilot in command (PIC) must be designated before the flight and cannot transfer his or her designation for the duration of the flight. In all situations, the PIC is responsible for the safety of the operation. The PIC is also responsible for meeting all applicable conditions and limitations as prescribed in this exemption and ATO-issued COA, and operating in accordance with the operating documents. The aircraft must be operated within visual line of sight (VLOS) of the PIC at all times. The PIC must be able to use human vision unaided by any device other than corrective lenses, as specified on the PIC's FAA-issued airman medical certificate.

6. The PIC may manipulate flight controls in the operation of no more than one unmanned aircraft at the same time. Proposed operation of more than one unmanned aircraft at the same time (by one PIC) requires a new petition or a petition to amend this exemption.

7. All operations must utilize the services of at least one or more visual observers (VO). The VO must be trained in accordance with the Operator's training program. For purposes of this condition, a VO is someone: (1) who maintains effective communication with the PIC at all times; (2) who the PIC ensures is able to see the unmanned aircraft with human vision as described in Condition and Limitation No. 5; and (3) coordinates with the PIC to scan the airspace where the unmanned aircraft (UA) is operating for any potential collision hazard and maintain awareness of the position of the UA through direct visual observation. The aircraft must be operated within VLOS of both the PIC and VO at all times. The operation must be conducted with a dedicated VO who has no collateral duties and is not the PIC during the flight. The VO may be used to satisfy the VLOS requirement as long as the PIC always maintains VLOS capability. The VO and PIC must be able to communicate verbally at all times; electronic messaging or texting is not permitted during flight operations. The VO must maintain visual sight of the aircraft at all times during flight operations without distraction. The PIC must ensure that the VO can perform the duties required of the VO. If either the PIC

or a VO is unable to maintain VLOS with the UA during flight, the entire flight operation must be terminated as soon as practicable.

8. This exemption and all documents needed to operate the unmanned aircraft system (UAS) and conduct its operations in accordance with the Conditions and Limitations stated in this grant of exemption, are hereinafter referred to as the operating documents. Lenoc Chemical Solutions, Inc. Flight Operations and Procedures Manual, Firmware Update Procedures, Emergency Procedures, Manufacturer's Manual for the HSE M8A Pro UAV, DJI Agras T16, and DJI Agras T20, Maintenance Procedures Manual, all Preflight Checklists, and this Exemption and any ATO-issued COA that applies to operations under this exemption must be accessible during all UAS operations that occur under this exemption and made available to the Administrator upon request. If a discrepancy exists between the conditions and limitations in this exemption and the procedures outlined in the operating documents, the Conditions and Limitations herein take precedence and must be followed. Otherwise, the Operator must follow the procedures as outlined in its operating documents. The Operator may update or revise its operating documents. It is the Operator's responsibility to track such revisions and present updated and revised documents to the Administrator or any law enforcement official upon request. The Operator must also present the most current documents if it petitions for extension of or amendment to this grant of exemption. If the Operator determines that any update or revision would affect the Operator's ability to comply with any requirement of this exemption, then the Operator must petition for an amendment to its grant of exemption. If questions arise regarding updates or revisions to the operating documents, the Operator may contact the Flight Standards Service General Aviation and Commercial Division (AFS-800), 800 Independence Ave SW, Washington, DC 20591. Telephone: 202-267-1100, Email: 9-AFS-800-Correspondence@faa.gov.

9. Any aircraft that has undergone maintenance or alterations that affect the UAS operation or flight characteristics (e.g., replacement of a flight-critical component) must undergo a functional test flight prior to conducting further operations under this exemption. Functional test flights may only be conducted by a PIC with a VO and other personnel required to conduct the functional flight test (such as a mechanic or technician) and must remain at least 500 feet from other people. The functional test flight must be conducted in such a manner so as to not pose an undue hazard to persons and property.

10. The Operator is responsible for maintaining and inspecting all aircraft to be used in the operation and ensuring that they are all in a condition for safe operation.

11. Prior to each flight, the PIC must conduct a pre-flight inspection and determine the aircraft is in a condition for safe flight. The pre-flight inspection must account for all potential discrepancies, such as inoperable components, items, or equipment. If the inspection reveals a condition that affects the safe operation of the UAS, the aircraft is prohibited from operating until the necessary maintenance has been performed, and the aircraft is found to be in a condition for safe flight.

12. The Operator must follow the UAS manufacturer's maintenance, overhaul, replacement, inspection, safety bulletins, and life-limit requirements for the aircraft and aircraft

components.

13. PIC certification: Under this exemption, a PIC must hold a current remote pilot certificate.

14. The PIC must also hold at least a current FAA second-class airman medical certificate. The PIC may not conduct the operation if he or she knows or has reason to know of any medical condition that would make him or her unable to meet the requirements for at least a second-class medical certificate, or is taking medication or receiving treatment for a medical condition that results in the PIC being unable to meet the requirements for at least a second-class medical certificate. The VO or any other direct participant may not participate in the operation if he or she knows or has reason to know of any physical or mental condition that would interfere with the safe operation of the aircraft.

15. The PIC must demonstrate the ability to safely operate the UAS in a manner consistent with how it will be operated under this exemption. The PIC must demonstrate the applicable knowledge and skills requirements for agricultural aircraft operations outlined in Part 137, evasive and emergency maneuvers, and maintaining appropriate distances from persons, vessels, vehicles and structures before operating non-training, proficiency, or experience-building flights under this exemption. Additionally, all PICs must satisfactorily complete the Operator's training program requirements, the completion of which must be documented. Furthermore, the PIC must satisfactorily demonstrate his or her ability to respond appropriately to a lost-link occurrence as part of the knowledge and skill assessment that will occur in accordance with Section 137.19(e). PIC qualification flight hours and currency may be logged in a manner consistent with Section 61.51(b). However, time logged for UAS operations may not be recorded in the same columns or categories as time accrued during manned flight, and UAS flight time does not count toward total flight time required for any Part 61 requirement.

16. All training operations must be conducted during dedicated training sessions and may not be conducted for compensation or hire. Furthermore, the PIC must operate the UA not closer than 500 feet to any nonparticipating person while conducting training operations.

17. UAS operations may not be conducted during night, as defined in Section 1.1. All operations must be conducted under visual meteorological conditions (VMC). Operations may not be conducted under special visual flight rules (SVFR).

18. The aircraft may not be operated less than 500 feet below or less than 2,000 feet horizontally from a cloud or when visibility is less than 3 statute miles from the PIC.

19. For UAS operations where global positioning system (GPS) signal is necessary to safely operate the aircraft, the PIC must immediately recover/land the UA upon loss of GPS signal.

20. If the PIC loses command or control link, the aircraft must follow a pre-determined route to either reestablish link or immediately recover or land.

21. The PIC must abort the flight operation if unexpected circumstances or emergencies arise

that could degrade the safety of persons or property. The PIC must terminate flight operations without causing undue hazard to persons or property in the air or on the ground.

22. The PIC is prohibited from beginning a flight unless (considering wind and forecast weather conditions) there is enough available power for each aircraft involved in the operation to conduct the intended operation with sufficient reserve such that in the event of an emergency, the PIC can land the aircraft in a known area without posing an undue risk to aircraft or people and property on the ground. In the alternative, if the manufacturer's manual, specifications, or other documents that apply to operation of the HSE M8A Pro UAV, DJI Agras T16, and DJI Agras T20 recommend a specific volume of reserve power, the PIC must adhere to the manufacturer's recommendation, as long as it allows the aircraft to conduct the operation with sufficient reserve and maintain power to land the aircraft in a known area without presenting undue risks, should an emergency arise.

23. This exemption does not grant relief from the requirements concerning registration and marking of aircraft. All aircraft operated in accordance with this exemption must be identified by serial number, registered in accordance with Part 47, and have identification (N-Number) markings in accordance with Part 45, Subpart C. Markings must be as large as practicable.

24. Documents used by the Operator to ensure the safe operation and flight of the UAS and any documents required under Sections 91.9, 91.203, and 137.33 must be available to the PIC at the ground control station of the UAS any time any aircraft operates in accordance with this exemption. These documents must be made available to the Administrator or any law enforcement official upon request.

25. The UA must remain clear and give way to all manned aviation operations and activities at all times.

26. The UAS may not be operated by the PIC from any moving device or vehicle.

27. All flight operations must be conducted at least 500 feet from all persons who are not directly participating in the operation, and from vessels, vehicles, and structures, unless when operating:

    a. *Over or near people directly participating in the operation of the* UAS. No person may operate the UAS directly over a human being unless that human being is directly participating in the operation of the UAS, to include the PIC, VO, and other personnel who are directly participating in the safe operation of the UA.
    b. *Near nonparticipating persons.* Except as provided in subsection (a) of this section, a UA may only be operated closer than 500 feet to a person when barriers or structures are present that sufficiently protect that person from the UA and/or debris or hazardous materials such as fuel or chemicals in the event of an accident. Under these conditions, the Operator must ensure that the person remains under such protection for the duration of the operation. If a situation arises in which the person leaves such protection and is within 500 feet of the UA, flight operations must cease immediately in a manner that

does not cause undue hazard to persons.

c. *Near vessels, vehicles and structures.* Prior to conducting operations, the Operator must obtain permission from a person with the legal authority over any vessels, vehicles or structures that will be within 500 feet of the UA during operations. The PIC must make a safety assessment of the risk of operating closer to those objects and determine that it does not present an undue hazard.

28. The UA may not operate within 5 nautical miles of an airport reference point (ARP) as denoted in the current FAA Chart Supplement or, for airports not denoted with an ARP, the center of the airport symbol as denoted on the current FAA-published aeronautical chart, unless a letter of agreement with that airport's management is obtained or otherwise permitted by a COA issued to the Exemption Holder. The letter of agreement with the airport management must be made available to the Administrator or any law enforcement official upon request.

29. All operations shall be conducted from and over predetermined, uninhabited, segregated, private or controlled-access property as described in the Operator's Flight Operations Procedures Manual. The PIC must ensure the entire operational area will be controlled to reduce risk to persons and property on the ground, as well as other users of the National Airspace System (NAS). This area of operation will include a defined lateral and vertical area where the aircraft will operate and must be geo-fenced to prevent any lateral and vertical excursions by the operating aircraft. Safety procedures must be established for persons, property and applicable airspace within the area of operation. A briefing must be conducted regarding the planned UAS operations prior to operation at each location of operation in which the Operator has not previously conducted agricultural aircraft operations. All personnel who will be performing duties within the boundaries of the area of operation must be present for this briefing. Additionally, all operations conducted under this exemption may only occur in areas of operation that have been physically examined by the Operator prior to conducting agricultural aircraft operations and in accordance with the associated COA.

30. Any incident, accident, or flight operation that transgresses the lateral or vertical boundaries of the operational area as defined by the applicable COA must be reported within 24 hours as required by the applicable COA issued by the FAA ATO. Additionally, any incident or accident that occurs, or any flight operation that transgresses the lateral or vertical boundaries of the operational work area, must be reported to the Flight Standards District Office (FSDO) that holds the Operator's Part 137 certificate.

Failure to comply with any of the above conditions and limitations may result in the immediate suspension or rescission of this exemption.

Unless otherwise specified in this grant of exemption, the UAS, PIC, and Operator must comply with all applicable parts of 14 CFR including, but not limited to, Parts 45, 47, 91, and 137. In addition, the Operator must comply with all limitations and provisions of the Operator's agricultural aircraft operator certificate, which the Operator must obtain prior to conducting agricultural operations in accordance with Section 137.11.

The Effect of the FAA's Decision

The FAA's decision amends Exemption No. 18709 to 18709A and extends the termination date to September 30, 2023, unless sooner superseded or rescinded.

To request an extension or amendment to this exemption, please submit your request by using the Regulatory Docket No. FAA-2020-0886 (*http://www.regulations.gov*). In addition, you should submit your request for extension or amendment no later than 120 days prior to the expiration listed above, or the date you need the amendment, respectively.

Any extension or amendment request must meet the requirements of 14 CFR § 11.81.

Sincerely,
/s/
Robert C. Carty
Acting Executive Director, Flight Standards Service

Enclosure

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

CERTIFICATE OF WAIVER OR AUTHORIZATION

ISSUED TO
Any Operator with a valid 49 USC 44807 Grant of Exemption

This certificate is issued for the operations specifically described hereinafter. No person shall conduct any operation pursuant to the authority of this certificate except in accordance with the standard and special provisions contained in this certificate and such other requirements of the Federal Aviation Regulations not specifically waived by this certificate.

OPERATIONS AUTHORIZED
Operation of Unmanned Aircraft System(s) (UAS) in accordance with the operators' 49 USC 44807 Grant of Exemption in Class G airspace at or below 400 feet Above Ground Level (AGL) in the National Airspace System (NAS).

LIST OF WAIVED REGULATIONS BY SECTION AND TITLE
N/A

STANDARD PROVISIONS

1. A copy of the application, made for this certificate shall be attached and become a part thereof.
2. This certificate shall be presented for inspection upon the request of any authorized representative of the Federal Aviation Administration, or of any State or municipal official charged with the duty of enforcing local laws or regulations.
3. The holder of this certificate shall be responsible for the strict observance of the terms and provisions contained herein.
4. This certificate is nontransferable.

Note: This certificate constitutes a waiver of those Federal rules or regulations specifically referred to above. It does not constitute a waiver of any State law or local ordinance.

SPECIAL PROVISIONS

Special Provisions Nos. A to G, inclusive, are set forth on the attached pages.

This Certificate of Waiver or Authorization (COA) is valid for two years from the issuance of a 49 USC 44807 Grant of Exemption and is subject to cancellation at any time upon notice by the Administrator or his/her authorized representative.

BY DIRECTION OF THE ADMINISTRATOR

/S/

FAA Headquarters
(Region)

Joseph Maibach
(Signature)

Acting Manager, UAS Policy Team, AJV-P22
(Title)

FAA Form 7711-1 (7-74)

SPECIAL PROVISIONS

A. General.

1. Unmanned aircraft have no on-board pilot to perform see-and-avoid responsibilities; therefore, when operating outside of active restricted and warning areas approved for aviation activities, provisions must be made to ensure an equivalent level of safety exists for unmanned operations consistent with 14 CFR Part 91 §91.111, §91.113 and §91.115.
2. The approval of this COA is effective only with an approved 49 USC 44807 Grant of Exemption.
3. This authorization may be canceled at any time by the Administrator, the person authorized to grant the authorization, or the representative designated to monitor a specific operation. As a general rule, this authorization may be canceled when it is no longer required, there is an abuse of its provisions, or when unforeseen safety factors develop. Failure to comply with the authorization is cause for cancellation. The operator will receive written notice of cancellation.

B. Safety of Flight.

1. The operator or pilot in command (PIC) is responsible for halting or canceling activity in the COA area if, at any time, the safety of persons or property on the surface or in the air is in jeopardy, or if there is a failure to comply with the terms or conditions of this authorization.

2. The PIC is responsible:

   a. To remain clear and give way to all manned aviation operations and activities at all times,

   b. For the safety of persons or property on the surface with respect to the UAS, and

   c. For compliance with CFR Parts 91.111, 91.113 and 91.115.

3. UAS pilots must ensure there is a safe operating distance between aviation activities and Unmanned Aircraft (UA) at all times.

4. Visual observer (s) must be used at all times and maintain instantaneous communication with the PIC.

5. The PIC is responsible to ensure visual observer(s) are:

   a. Able to see the UA and the surrounding airspace throughout the entire flight, and

   b. Able to sufficiently provide the PIC with the UA's flight path, and proximity to all aviation activities and other hazards (e.g., terrain, weather, structures) to enable the PIC to exercise effective control of the UA to prevent the UA from creating a collision hazard.

6. Visual observer(s) must be able to communicate clearly to the PIC any instructions required to remain clear of conflicting traffic.

7. The operator or delegated representative must not operate in Prohibited Areas, Special Flight Rule Areas or, the Washington National Capital Region Flight Restricted Zone. Operations in the Washington DC Special Flight Rule Area may be conducted in accordance with FDC NOTAM 6/1117. Such areas are depicted on charts available at http://www.faa.gov/air_traffic/flight_info/aeronav/. Additionally, aircraft operators should abide by Notices to Airmen (NOTAMS) that restrict operations in proximity to power plants, electric substations, dams, wind farms, oil refineries, industrial complexes, national parks, the Disney resorts, stadiums, emergency services, the Washington DC Metro Flight Restricted Zone (FRZ), military or other federal facilities.

C. Reporting Requirements.

1. Documentation of all operations associated with UAS activities is required, regardless of the airspace within which the UAS operates. **NOTE:** Negative (zero flights) reports are required.

2. The proponent must submit the following information to 9-AJV-115-UASOrganization@faa.gov on a monthly basis:

   a. Name of operator, Exemption number, and aircraft registration number

   b. UAS type and model

   c. All operating locations to include location city/name and latitude/longitude

   d. Number of flights (per location, per aircraft)

   e. Total aircraft operational hours

   f. Takeoff or Landing damage

   g. Equipment malfunctions. Reportable malfunctions include, but are not limited to the following:

      (1) On-board flight control system

      (2) Navigation system

      (3) Power plant failure in flight

      (4) Fuel system failure

      (5) Electrical system failure

      (6) Control station failure

   h. The number and duration of lost link events (control, performance and health monitoring, or communications) per aircraft per flight.

D. Notice to Airmen (NOTAM).

A distant (D) NOTAM must be issued when unmanned aircraft operations are being conducted.

This requirement may be accomplished:

1. Through the operator's local base operations or NOTAM issuing authority, or

2. By contacting the NOTAM Flight Service Station at 1-877-4-US-NTMS (1-877-487- 6867) not more than 72 hours in advance, but not less than 24 hours prior to the operation, unless otherwise authorized as a special provision. The issuing agency will require the:
   a. Name and address of the pilot filing the NOTAM request.
   b. Location, altitude, and/or operating area.
   c. Time and nature of the activity.
   d. Number of UAS flying in the operating area.

3. The area of operation defined in the NOTAM must only be for the actual area to be flown for each day and defined by a point and the minimum radius required to conduct the operation.

4. The operator must cancel applicable NOTAMs when UAS operations are complete or will not be conducted.

E. Coordination Requirements.

1. Operators and UAS equipment must meet the requirements (communication, equipment, and clearance) of the class of airspace within which the UAs will operate.

2. Operator filing and the issuance of required distance (D) NOTAM will serve as advance ATC facility notification for UAS operations in an area.

3. Coordination and de-confliction between Military Training Routes (MTRs) is the operator's responsibility. When identifying an operational area the operator must evaluate whether an MTR will be affected. In the event the UAS operational area overlaps an MTR, the operator will contact the scheduling agency 24 hours in advance to coordinate and de-conflict. If unable to determine the MTR point of contact, contact the FAA at email address mail to: 9-AJV-115-UASOrganization@faa.gov with the IR/VR routes affected and the FAA will provide the scheduling agency information. If prior coordination and de-confliction does not take place 24 hours in advance, the operator must remain clear of all MTRs. Scheduling agencies for SUAs are listed in the FAA JO 7400.8.

F. Flight Planning Requirements.

1. Operations must be under Visual Meteorological Conditions (VMC) and meet the following conditions and limitations:
   a. At or below 400 feet AGL, and
   b. Beyond the following distances from the airport reference point (ARP) of a public use airport, heliport, gliderport, or seaport listed in the Digital - Chart Supplement (d-CS), Alaska Supplement, or Pacific Chart Supplement of the U.S. Government Flight Information Publications:
      (1) 5 nautical miles (NM) from an airport having an operational control tower; or
      (2) 3 NM from an airport having a published instrument flight procedure, but not having an operational control tower; or

(3) 2 NM from an airport not having a published instrument flight procedure or an operational control tower; or

(4) 2 NM from a heliport.

2. For all UAS requests not covered by the conditions listed above, the exemption holder may apply for a new Air Traffic Organization (ATO) COA at https://caps.faa.gov/coaportal.

G. Emergency/Contingency Procedures.

1. Lost Link/Lost Communications Procedures: If the UAS loses communications or loses its GPS signal, the UA must return to a pre-determined location within the private or controlled-access property and land.
2. Any incident, accident, or flight operation that transgresses the lateral or vertical boundaries defined in this COA must be reported to the FAA via email at: 9-AJV-115-UASOrganization@faa.gov within 24 hours. Accidents must be reported to the National Transportation Safety Board (NTSB) per instructions contained on the NTSB Web site: www.ntsb.gov.

AUTHORIZATION

This COA does not, in itself, waive any Title 14 Code of Federal Regulations, nor any state law or local ordinance. Should the proposed operation conflict with any state law or local ordinance, or require permission of local authorities or property owners, it is the responsibility of the operator to resolve the matter. This COA does not authorize flight within Special Use airspace without coordinating and de-conflicting with the scheduling agency. The operator is hereby authorized to operate the Unmanned Aircraft System in the National Airspace System.